

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

United States of America,)
 Plaintiff,)
vs.) Case No. 05-3022-01-CR-S-FJG
Christopher Crase,)
 Defendant.)

ORDER

Pending before the Court is defendant's motion to suppress evidence and statements (Doc. #21), filed August 2, 2005, and the government's response thereto (Doc. #22), filed August 12, 2005.

On October 12, 2005, United States Magistrate Judge James C. England held an evidentiary hearing on the pending motion to suppress. Thereafter, on October 31, 2005, Magistrate England entered a report and recommendation (Doc. #32) which recommended denying the above-mentioned motion. Exceptions to Magistrate England's report and recommendation were filed on November 14, 2005 (Doc. #33).

The Court, after independent review of the record and applicable law, adopts and incorporates by reference herein, the magistrate's discussion and conclusions. Therefore, the Court finds that defendant's motion to suppress evidence and statements (Doc. #21), filed August 2, 2005, must be denied.

Accordingly, it is

ORDERED that the magistrate's discussion and conclusions are hereby adopted and incorporated herein by reference. It is further

ORDERED that defendant's motion to suppress evidence and statements (Doc. #21), filed August 2, 2005, is denied.

/s/Fernando J. Gaitan, Jr.

Judge Fernando J. Gaitan, Jr.
United States District Judge

Dated: December 5, 2005
Kansas City, Missouri